

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Hageman, et al.

Atty. Docket No.: YOR920010721US1

Serial No.: 10/015,256

Group Art Unit: 2164

Filed: December 13, 2001

Examiner: Mellissa M. Chojnacki

For: SECURITY AND AUTHORIZATION DEVELOPMENT TOOLS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION UNDER 37 C.F.R. 1.137(b)
and STATEMENT ESTABLISHING UNINTENTIONAL DELAY

Sir:

In response to the Notice of Abandonment dated February 27, 2009, and to the Decision on Petition dated April 13, 2009, Applicants hereby petition for the Notice of Abandonment to be withdrawn due to Applicants non-receipt of the Notice of Allowance dated November 4, 2008. Applicants submit the following statement:

- 1) The Notice of Allowance dated November 4, 2008 was not received in this application. Upon review of the file jacket and docket records, a search was completed, and it indicates that no Notice of Allowance communication was received.
- 2) Applicants submit herewith a copy of the master docket report of Gibb I.P. Law Firm, LLC as Exhibit A attached to the declaration of Kimberly Baumann which demonstrates that Gibb I.P. Law Firm, LLC did not receive the above-noted Notice of Allowance dated November

4, 2008. Specifically, Exhibit A shows all items due in the Patent Office between January 14, 2009 and February 14, 2009, which is when the payment of the issue fee would have been due on February 4, 2009 (the 3 month non-extendable due date). Docket number YOR.5047 (corresponding to serial number 10/015,256) does not appear on Exhibit A, indicating that the November 4, 2008 Notice of Allowance was not received by Gibb I.P. Law Firm, LLC.

- 3) Also attached as Exhibit B of the declaration of Kimberly Baumann is a copy of the most recent docket sheet for this file attached herewith. This file docket sheet indicates that the last item received in this file was from the USPTO on October 24, 2007 forwarding a copy of the Board's Answer, and that the November 4, 2008 Notice of Allowance was not received by Gibb I.P. Law Firm, LLC.
- 4) Additionally, a copy of the incoming mail log is attached as Exhibit C of the declaration of Kimberly Baumann showing all items received from October 31, 2008 to December 11, 2008 (5 days prior to, and a month after the November 4, 2008 mailing date) demonstrating that no entry was made for serial number 10/015,256. This also indicates that the November 4, 2008 Notice of Allowance was not received by Gibb I.P. Law Firm, LLC.

In view of the foregoing evidence submitted by Applicants, Applicants request that the Renewed Petition Under 37 C.F.R. 1.137(b) be granted. No additional fee is required by this Petition. Applicants also request that the holding of abandonment be

withdrawn, that the Notice of Allowance be re-mailed, and the date for all required action be restarted from the new mailing date.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 50-0510.

Respectfully Submitted,

/Frederick W. Gibb/

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Date: 4/30/09

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